

1850 Noncode Acts

1850-138-1

SECTION 1. Be it enacted by the General Assembly of the State of Indiana, That Frederick Brinkerman, William Schuttee, Henry Borman, and their successors in office, are hereby constituted a body politic or corporate, and shall be known by the name and style of the "Trustees of the Evangelical Lutheran St. John's Church," and by said corporate name may sue and be sued, plead and be impleaded, in any all courts in this State, and by that name have perpetual succession, and be capable of purchasing, holding, bargaining, and selling any property, either real or personal, for the use and benefit of said church, both by legal and equitable title, not to exceed in value ten thousand dollars.

1850-138-2

SECTION 2. The said trustees and their successors in office shall be empowered to receive any and all subscriptions, gifts, grants, donations, and bequests, which shall be applied solely to the uses and benefit of such church in the manner the trustees thereof may deem most proper and expedient.

1850-138-3

SECTION 3. It shall be lawful for such trustees to hold meetings at such places, and at such time as it may be deemed necessary, and their business may require; sit on their own adjournments, or the call of the proper officers, or a majority of such trustees; and to elect and appoint their officers, and establish such rules and by-laws from time to time as a majority may determine: Provided, however, That such rules and by-laws shall not be inconsistent with the laws or constitution of this State or the United States.

1850-138-4

SECTION 4. It shall be lawful for the members of the Evangelical Lutheran St. John's Church, to perpetuate the board of trustees hereby appointed by annual appointment, or by any other mode they may deem proper. They may also increase the number of said board when the same may be deemed necessary, and fill all vacancies that may at any time occur therein.

1850-138-5

SECTION 5. It shall be the duty of said board to keep a record of their proceedings, which shall at all times be open to the inspection of all persons concerned.

1850-331-1

SECTION 1. Be it enacted by the General Assembly of the State of Indiana, That F.D. Wheeler, John K. Mentel, J.M. Mathes, Thomas Connelly, Benjamin Irvine, Elijah Goodwin, J.B. Craft, John O. Kane, B.T. Reeve, S.K. Hoshour, George Campbell, Jeremiah Smith, John Brownlee, Ambrose D. Hamrick, Higgins Lane, James Ford, A.E. Drapier, Milton B. Hopkins, J.B. New, R.S. Browne, Michael Combs,

O. Butler, L.H. Jameson, J.M. Bramwell, A. Houghton, Jacob Wright, T.J. Edmonson, E.F. Peabody, P.T. Russell, Paris C. Dunning, G.W. New, G.W. Smith, Corbly Martin, B.F. Flinn, M. Cole, D.C. Stewart, Stephen Younger, Thomas Lockhart, John Longly, A.B. Cole, Alfred Davis, M.R. Trimbell, and Thomas M. Adams be, and they are hereby appointed commissioners, under the direction of whom, or any of them, subscriptions may be received to the capital stock of the North Western Christian University, hereby incorporated, and they, or any of them, may cause books to be opened at any time for the purpose of receiving subscriptions to the capital stock of said company, and may continue the same open until such a subscription to the capital stock of said company, as is necessary to its incorporation, shall be obtained.

1850-331-2

SECTION 2. The capital stock of said company shall not be less than seventy-five thousand dollars, nor more than five hundred thousand dollars, in shares of one hundred dollars each, which may be subscribed for by any individual, or corporation, or by any Christian Church Society, or congregation, in the name of its trustee, which trustee shall, however, be personally responsible for such subscription, and as soon as seven hundred and fifty shares of such capital stock shall be subscribed to the satisfaction of said commissioners, or a majority of them, the subscribers of said stock, their successors or assigns, shall be, and they are hereby declared to be incorporated into a company by the name of "The North Western Christian University," and by that name shall be capable in law of receiving, taking purchasing, holding, selling, leasing, and conveying, or using, occupying, and enjoying all such real and personal estate and property as shall or may be necessary or proper for the purpose hereinafter mentioned, not exceeding, however, in value at any one time the sum of five hundred thousand dollars, and shall have perpetuated succession, and by such corporate name may sue and be sued, and may have and use a common seal, which they shall have power to alter or renew at pleasure, and shall have and enjoy, and may exercise all the powers, rights, and privileges which other corporate bodies may lawfully do for the purposes mentioned in this act.

1850-331-3

SECTION 3. That the objects and purposes contemplated by this act of incorporation are hereby declared to be to establish, found, build up, maintain, sustain, and perpetuate, through the instrumentality of said company, at or in the vicinity of the city of Indianapolis, in the State of Indiana, an institution of learning of the highest class for the education of the youth of all parts of the United States, and especially of the States of the Northwest; to establish in said institution departments or colleges for the instructing of the students in every branch of liberal and professional education; to educate and prepare suitable teachers for the common schools of the country; to teach and inculcate the Christian faith and Christian morality as taught in the sacred Scriptures, discarding as uninspired and without authority all writings, formulas, creeds, and articles of faith subsequent thereto, and for the formation

{promotion} of the sciences and arts. The affairs and business of the said company, and of said institution, shall be under the control and management of a board of twenty-one directors, to be elected by the stockholders every third year, and that at the election of said directors, and on all other occasions where a vote of the stockholders is to be taken, each stockholder shall be allowed one vote for each share owned by him, or her, and each stockholder may vote either in person or by proxy duly appointed, and authorized in writing so to do.

1850-331-4

SECTION 4. So soon as seventy-five thousand dollars of the capital stock of said company shall be subscribed to the satisfaction of said commissioners, or a majority of them, they shall appoint a time and place for holding the first election of directors, of which they shall give such notice as they may deem proper and sufficient; said commissioners, or a majority of them, may also prescribe the manner of holding and conducting said first election, and subsequently thereto, in every three years, there shall be a like election of directors, to be holden at such time and place, and upon such notice, and in such manner as the board of directors shall prescribe.

1850-331-5

SECTION 5. The directors so chosen shall serve as such for the term of three years, and until their successors are chosen, and shall constitute the board of directors of the North Western Christian University. They shall choose one of their own body as president of said board, and may choose either from their own members, or other stockholders in said company, a treasurer, secretary, and such other servants and agents of said company and of said board as to them shall seem necessary and proper, all of whom shall serve as such during the pleasure of the board. The said board shall have power to make its own by-laws, rules, and regulations, and may prescribe and define the right to {and} powers, duties, and liabilities within the limits of this act, and of the laws of the State, of each, any and all the servants and agents of the said company, or of the said board.

1850-331-6

SECTION 6. The said board of directors are hereby empowered to expend any amount which be necessary, not exceeding one-third of the capital stock of said company, in the purchase and procurement of a suitable site and ground for the said institution, and in the purchase of, or the building, and erecting thereon suitable buildings for said incorporation, and in the purchase and procurement of all proper fixtures, appurtenances, apparatus, furniture, library, &c., for the use of said institution, the balance of the said capital stock not so expended and applied shall be kept and retained as a permanent fund for the endowment of the said institution, and may be loaned out by said board upon good and ample security at an interest of six per cent. per annum, payable annually in advance, such interest to be used and applied to, to maintain, sustain, and support such institutions.

1850-331-7

SECTION 7. The stock subscribed shall be payable to the said board of directors, or to their proper agents, upon their requisition, and said board are hereby authorized at any time, or from time to time, as said board may think proper to make such requisitions, either for the whole or for such share and proportion thereof as said board shall think necessary: Provided, That for so much and such share and proportion of each subscription, as by the foregoing SECTION is contemplated to be kept and retained as a permanent fund for the endowment of said institution, each shareholder shall be a preferred borrower, and shall, if he desire it, have the privilege of retaining the same as a loan from said company, upon full and prompt compliance with the terms of this act, prescribed to the borrowers of said fund, and subject to the same conditions and liabilities as other borrowers: Provided, also, So long as such stockholder so retaining as a loan, a portion of said subscription shall faithfully and promptly comply with every requisition of the board as to the securing, or further or better securing, the amount so retained by him as a loan, and shall faithfully and promptly pay the annual interest thereon in advance; he or she may so retain as a loan an amount equal to two-thirds of his or her said subscription, but in case of his or her failure to comply with any such requisitions of the board, or to pay said interest promptly, the right so to retain the same shall be held to be forfeited, and the amount shall thereupon be taken and held to be presently due and collectable.

1850-331-8

SECTION 8. In case any subscriber shall fail to make full payment of his subscription as contemplated by the provisions of this act, the board of directors may at any time after said failure, either before or after suit therefor, declare the stock of said delinquent subscriber forfeited, and strike his name and his stock from the books of the company.

1850-331-9

SECTION 9. Upon the full payment and security of the amount of his or her subscription as hereinafter contemplated, each subscriber shall receive from the said board of directors a proper certificate or certificates of the numbers of shares and amount of stock held by him or her, which stock shall be transferable and transmissible as other personal property: Provided, That no assignment or transfer of said stock shall be recognized, or allowed by the said board or by said company, unless such assignment and transfer be made and entered on the books of the company.

1850-331-10

SECTION 10. The said board of directors are hereby authorized to keep the books of said company open to receive further subscriptions to the capital stock of said company, to any amount which they may think proper, not exceeding, however, in the whole the said sum of five hundred thousand dollars; and all such new subscribers shall enjoy the same rights and privileges, and be subject to the same duties and

liabilities as the original share holders.

1850-331-11

SECTION 11. The said board of directors, in loaning out the funds of the said company, are authorized and required to provide that the same be amply secured by mortgage or otherwise, and said board so often thereafter as they may think it proper or necessary so to do, may require further and additional security to the satisfaction of the said board, from any of the borrowers of said funds; and in case any borrower shall fail to comply promptly with any such requisition of the board, or shall fail to make punctual payment of the annual interest in advance upon his loan, he or she shall thereby forfeit all further credit on such loan, and the amount so loaned to him or her shall be taken and held to be immediately due and payable, and may be collected by due course of law.

1850-331-12

SECTION 12. The said board of directors are hereby authorized and empowered, for and in the name of said company, to select and locate in the city of Indianapolis, or in its vicinity, a suitable and proper site and location for the buildings of the institution, and to purchase and procure the same with such adjacent grounds as they may think proper, to be conveyed to the said company in fee, to provide and establish thereon an institution of learning, to be called "The North-Western Christian University;" to purchase and procure, or build and erect thereon, all such halls, buildings, and edifices as shall be necessary for the use and occupancy of such institution, and to purchase and procure for the use of said institution all proper fixtures, appurtenances, apparatus, furniture, and library, and to open, maintain, sustain, and support the said North-Western Christian University, for the purposes herein specified.

1850-331-13

SECTION 13. The said board of trustees {directors} shall have the control and management of the said institution; may establish as many chairs and professors, and appoint such president and professors as they may think proper and remove the same at pleasure; and may by their by-laws and ordinances, determine and define the powers and duties of such presidents and professors, both individually and collectively: Provided, No degree shall be conferred or diploma granted except to students who have obtained the same proficiency in the liberal arts and sciences as is customary for students in other similar institutions, to entitle them to the same degrees and diplomas.

1850-331-14

SECTION 14. The board of directors shall meet annually at Indianapolis on the Tuesday next after the fourth Monday in May, in each year, and at such other times as said board may determine, until the opening of the said institution; and thereafter the times and place of their meetings shall be determined by the board, a majority of whom shall constitute a quorum; the president and {or} any three of the

directors may at any time call a special meeting of the board.

1850-331-15

SECTION 15. From and after the opening of the institution, each stockholder whose stock is fully paid or secured as herein contemplated, shall receive interest at the rate of six per cent. per annum on the amount of his or her stock, payable, however, solely and exclusively in tuition in said institution, at the usual rates for tuition therein, when demanded, and payable to such stockholder, his or her order or assigns, at any time within ten years after such interest shall accrue.

1850-331-16

SECTION 16. All property, either real or personal, held by said company, for the purposes hereby contemplated, shall be exempt from taxation.

1850-331-17

SECTION 17. This act shall be taken and held as a public act, and shall be liberally construed for every beneficial purpose hereby entertained, {intended} and no omission to use any of the privileges hereby granted shall cause the forfeiture thereof, nor shall any gift, grant, purchase, sale, or conveyance to or for the benefit of said company be defeated or prejudiced by any misnomer, misdescription, or informality whatever.

1850-338-1

SECTION 1. Be it enacted by the General Assembly of the State of Indiana, That Milton Stapp, William G. Wharton, C.P.J. Arion, D.D. Jones, and Michael C. Garber, and their successors in office, be, and they are hereby created a body corporate and politic, by the name, style, and title of "the Jefferson County Historical Society," with power to organize and transact business under and by the authority of the 32d chapter, article 2d, of the revised code of 1843.